

REMARKS/ARGUMENTS

The Office Action of May 4, 2006, has been carefully reviewed and these remarks are responsive thereto. Claims 16-31 are thus pending in the application. Reconsideration and allowance of the instant application are respectfully requested.

Rejections Under 35 U.S.C. § 112

Claims 25-29 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office Action states the specification does not teach what a “Smart Messaging Specification” is; that is, the specification merely alludes to Nokia’s Smart Messaging Specification but gives no description. Applicant respectfully traverse this rejection on the grounds that because a smart messaging specification (including Nokia’s Smart Messaging Specification) is publicly available, and is well known to one of ordinary skill in the art, it need not be disclosed in detail in the specification.

The Office Action also stated that it is unclear whether the Applicant is referring to a general Smart Messaging Specification or a specific standard set by Nokia. Claims 25-29 have been amended to claim “wherein the reminders are transferred via the wireless communication network included in a message according to a smart messaging specification.” A “smart messaging specification” as claimed includes, but is not limited to, a Nokia Smart Messaging Specification (including but not limited to Nokia Smart Messaging Specification, revision 1.0.0; Sep. 15, 1997, disclosed in paragraph 25 of the specification), and one of ordinary skill in the art would know this based on the written specification of the application.

Rejections Under 35 U.S.C. § 102(b)

Claims 30-31 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kumar (U.S. Patent No. 5,648,760). This rejection is respectfully traversed.

Claim 30, as amended, claims “One or more computer readable media in a wireless mobile communication terminal, the computer readable media storing computer executable instructions to perform a method of handling reminders in the wireless mobile

communication terminal, wherein a reminder is an electronic message which includes a reminder time and date and a reminder text, said method comprising: receiving characters input by a user into a text editor of the wireless mobile communication terminal via an alphanumeric key pad of the wireless mobile communication terminal for providing the reminder text, said text editor stored in a limited memory of the wireless mobile communication terminal, wherein said limited memory stores a reminder application, while not storing a calendar application. . .”

Kumar does not teach a computer readable media in a “wireless mobile communication terminal” as claimed. The portable unit 11 taught in Kumar is not a wireless mobile communication terminal. The only device with which portable unit 11 can communicate is homebase station 12, and such communication can only be achieved through selected contacts in connector 121 of portable unit 11 and connector 122 of homebase station 12 when portable unit 11 is fully inserted into cradle 120. *See* Kumar, col. 6, lines 29-32.

Kumar also does not teach the step of receiving characters input by a user into a text editor of the wireless mobile communication terminal via an alphanumeric key pad of the wireless mobile communication terminal for providing the reminder text. There is no alphanumeric key pad in portable unit 11, as claimed. Rather, Kumar teaches several non-alphanumeric keys in portable unit 11, and teaches input keys 114 on the homebase station 12.

It is respectfully submitted that the § 102(b) rejection of claim 30 be withdrawn.

Claim 31, as amended, claims a “wireless mobile communication terminal configured to perform a method of handling reminders therein, wherein a reminder is an electronic message which includes a reminder time and date and a reminder text, comprising:

an alphanumeric key pad wherein a user can input characters;

means for receiving characters input by a user via an alphanumeric key pad into a text editor of the wireless mobile communication terminal for providing the reminder text, said text editor stored in a limited memory of the wireless mobile communication

terminal, wherein said limited memory stores a reminder application, while not storing a calendar application . . .”

As noted above, Kumar does not teach a “wireless mobile communication terminal” as claimed. The portable unit 11 taught in Kumar is not a wireless mobile communication terminal. The only device with which portable unit 11 can communicate is homebase station 12, and such communication can only be achieved through selected contacts in connector 121 of portable unit 11 and connector 122 of homebase station 12 when portable unit 11 is fully inserted into cradle 120. *See* Kumar, col. 6, lines 29-32.

Kumar does not teach a wireless mobile communication terminal comprising “an alphanumeric key pad wherein a user can input characters.” Kumar does not teach “means for receiving characters input by a user via the alphanumeric key pad into a text editor of the wireless mobile communication terminal for providing the reminder text.” There is no alphanumeric key pad in portable unit 11, as claimed. Rather, Kumar teaches several non-alphanumeric keys in portable unit 11, and teaches input keys 114 on the homebase station 12.

It is respectfully submitted that the § 102(b) rejection of claim 31 be withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 16-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumar (U.S. Patent No. 5,648,760) in view of Alperovich et al. (U.S. Patent No. 6,119,014, hereinafter Alperovich). This rejection is respectfully traversed.

Applicant has amended claims 16 and 18 to clarify that the invention is implemented in a wireless communication terminal having an alphanumeric key pad and only a limited memory, in which there is not enough memory to include a full calendar application, and transmitting a reminder from the wireless mobile communication terminal to a remote wireless second communication terminal via a wireless communication network.

The invention addresses the problem in the art that not all consumers want to spend a lot of money to buy an application rich mobile terminal, i.e., a Business-class mobile terminal. In efforts to meet this demand for lower-end, or Basic, mobile terminals, manufacturers must cut costs of mobile terminals, e.g., by not including as much memory

and including less functionality. The invention addresses this concern by providing a limited reminder capability in a Basic mobile communication terminal that does not otherwise provide a calendar application or capability, as is typically provided in Business-class mobile terminals.

As noted in the specification of the present application, a problem with electronic calendar applications is that they require quite a significant amount of memory. This memory consumption is partly caused the application itself for giving the user the possibility to inspect the series of pages showing dates, but is mainly due to the fact that content entered into the calendar application is allowed to remain there, i.e., a user can keep adding content until the memory is full. Therefore the memory space required grows over time. Such a concept is not applicable for a reminder application for use in an entry-level mobile terminal, where memory space is almost fully used when the mobile terminal leaves the factory.

Calendars are available in Business-class mobile terminals, while Basic-class mobile terminals have memory limitations, and often do not include calendar applications. Bigger memories will induce higher costs and this again will reduce sales. However, the reminder application of the present invention is very useful and attractive, as the phone is the only electronic device that almost all people always carry. The reminder application according to the invention allows the user to set an alarm for a certain time with an attached text to remind the task or event that is that is associated to the alarm, without requiring the user to purchase a Business-class mobile terminal that includes a calendar application.

Thus, according to the amended independent claims, the mobile terminal includes a timer providing a timing signal and a reminder software application, which is based on an initial setting of date, time, and text, and the timing signal is able to indicate the current date and time. When the reminder time is reached, the phone sounds an alarm and flashes the reminder text. The claims specifically require that the limited memory not store or include a calendar application, which the cited references clearly do include.

Kumar discloses a messaging and scheduling device having the type of organizer that is avoided by the present invention. Kumar does not disclose a low-end wireless communication terminal where the calendar application has been cut away of cost

reasons without sacrificing the reminder option that is perfect for reminding kinds about it is time to do a special task.

As noted above with respect to the rejection under 35 U.S.C. § 102(b), Kumar does not teach a wireless mobile communication terminal. As recognized in the Office Action, Kumar also does not teach transmitting a reminder to a remote second communication terminal via a wireless communication network.

Kumar also does not teach a wireless communication terminal comprising an alphanumeric key pad on which a user is able to enter reminder labels. Kumar requires a docking station, i.e., homebase station 12, and at most this station 12 has alphanumeric keys, not the portable unit 11 of Kumar.

Mobile phones in which the invention is implemented do not even support data synchronization with a docking station. Therefore, an implementation with a docking station like concept would be contrary to the claimed invention.

Alperovich does not remedy the deficiencies in Kumar. Alperovich requires a separate Short Message Service (SMS) Center 360, a separate serving Mobile Services Center/Visitor Location Register (MSC/VLR) 350, and a separate serving Base Station Controller (BSC) 340 to achieve transmission of a message between originating subscriber 480 and mobile station 400. The present invention avoids the need of having such separate centers and controller as by the Alperovich disclosure.

In addition, there is no motivation to combine or adapt the references to arrive at the present invention. Applicants initially note that the Office Action does not provide a motivation to combine the references, but rather uses the end-result of the combination as the supposed motivation to combine the references in the first place, which is impermissible hindsight reasoning. The Federal Circuit has repeatedly stated that the limitations of a claim in a pending application cannot be used as a blueprint to piece together prior art in hindsight, *In re Dembiczak*, 50 U.S.P.Q.2d 1614 (Fed. Cir. 1999), and that the Patent Office should *rigorously* apply the requirement that a teaching or motivation to combine prior art references needs to be provided. *Id.* (emphasis added). Thus, Applicants respectfully submit that that there is no motivation or suggestion to combine Kumar with Alperovich. Even assuming that any judgment on obviousness is in a sense necessarily a

reconstruction based upon hindsight reasoning, as is often argued by the Office, the Office Action provides no evidence that the combination takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, nor does the Office Action provide any evidence that the combination does not include knowledge gleaned only from Applicant's disclosure. Thus, the combination is an improper combination based on hindsight.

Thus, because there is no motivation to combine the references or adapt them to the presently claimed invention, and because the cited references do not teach or suggest all the features of any claims, the rejection is respectfully traversed.

Claims 21-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumar in view of Alperovich, and further in view of Nokia 6100 User's Guide, 9351506, Issue 2. (http://nds1.nokia.com/phones/files/guides/6100_usersguide_en.pdf, June 7th, 1998). This rejection is respectfully traversed. Claims 21-24 are non-obvious for at least the same reasons as their respective base claims, because the Nokia 6110 User's Guide does not cure the deficiencies in Kumar and Alperovich, and further in view of the additional features recited therein. As noted in the Amendment dated February 15, 2006, the calendar application implemented in the Nokia 6100 and described in the Nokia 6110 User's Guide is an example of an electronic calendar application that is avoided in the claimed invention. Looking at Nokia's 6110 User's Guide, one skilled in the art would come to a conclusion that calendars, and appointments which are part of a calendar, are for high end or Business-class phones alone due to the memory restrictions. The present invention, on the other hand, solves the memory problem by bringing reminder functionality to Basic-class mobile terminals, e.g., as lauded at http://www.ciao.co.uk/Nokia_3310_Review_5118785.

Claims 25-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumar in view of Alperovich, and further in view of Nokia 6100 User's Guide, 9351506, Issue 2. ("Nokia," http://nds1.nokia.com/phones/files/guides/6100_usersguide_en.pdf, June 7th, 1998), and further in view of Mercer U.S. Patent No. 6,167,429 (Mercer). Claims 25-29 are non-obvious for at least the same reasons as their respective base claims, because Mercer does not cure the deficiencies in Kumar, Alperovich, and the Nokia 6100 User's Guide, and further in view of the additional features recited therein.

New Claim

Applicants have added new claims 32-37. No new matter has been added. Claims 32-37 is allowable at least for similar reasons as the previously discussed independent claims.

CONCLUSION

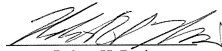
All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the Examiner is requested to contact the undersigned at (312) 463-5405.

Respectfully submitted,

BANNER & WITCOFF, LTD.

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